

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 6, 2010

PRESENT: Marshall, Parella, Barboza, and Herreshoff

ABSENT: Cordeiro

ALSO PRESENT: John M. Day, Town Treasurer (acting Town
Administrator)
Michael A. Ursillo, Town Solicitor
Marshall J. Netto, Town Sergeant

ALSO ABSENT: Diane C. Mederos, Town Administrator

The Council met in regular session on Wednesday evening,
January 6, 2010, in the Town Hall, Council Chambers
beginning at 7:07 o'clock PM, Council Chairman Marshall
presiding:

Prior to the commencement of this evening's regular agenda,
Council Chairman Marshall presented a commendation to
outgoing Bristol Veterans Council President Karl Antonevich
as follows:

State of Rhode Island and Providence Plantations
Town of Bristol
Commendation
awarded to

Karl Antonevich

In grateful recognition of his tenure as President
of the Bristol Veterans Council.

In presenting this award, the Honorable Town Council and
Honorable Town Administrator of the Town of Bristol, State
of Rhode Island and Providence Plantations, recognize the
many accomplishments of this exceptional leader in service
to our Town, and further acknowledge his leadership as
harmonious, cooperative, and of great mutual respect.

Given upon the occasion of the conclusion of his most-
successful term and presented at Bristol this 4th Day of
January, 2010.

IN WITNESS WHEREOF we
have hereunto set our
hand and affixed the Seal
of the Town of Bristol.

/s/ Diane C. Mederos, Town Administrator
/s/ Kenneth A. Marshall, Town Council Chairman

/s/ Raymond Cordeiro, Town Council Vice-chairman
/s/ Mary A. Parella, Councilwoman
/s/ David E. Barboza, Councilman
/s/ Halsey C. Herreshoff, Councilman
Attest: /s/ Louis P. Cirillo, CMC, Town Clerk

Mr. Antonevich thanked the Council for this commendation, also for its support during his term as President and noted that it had been a pleasure for him to serve the Town and its veterans.

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall wished those present a happy New Year and also explained that Councilman Cordeiro was absent due to an illness and that Town Administrator Mederos was absent since she is out of Town. He noted that Town Treasurer Day was appointed acting-Town Administrator by Town Administrator Mederos.

Council Chairman Marshall further informed those present that he was of the opinion that there will be many challenges facing the Town during 2010 and that the Town of Bristol was fortunate to be "stable" and "strong from the inside." He also stated that the financial woes of the State will likely be resolved by those cities and towns that have adopted good fiscal policies.

Councilman Barboza noted the passing of Bristol Rotary Club President Forrest Edward this date and extended the Council's condolences to Mr. Edward's family. He noted that Mr. Edward was a long-time loyal member of the Rotary Club and a former manager at Roger Williams University.

Councilman Barboza also explained that this year marks the 41st year that media specialist Mike Davis has taped Town Council meetings beginning 40 years ago in Malden, Massachusetts. The Council congratulated Mr. Davis upon this achievement.

Councilman Barboza also observed that Fire Chief Martin had recovered from his recent surgery and was "back on the job." He noted the Council's appreciation to Battalion Chief Jim Vieira and the other Department members who filled-in during the Chief's absence.

Councilman Barboza noted that the H1N1 vaccine is available to the general public and that he (Councilman Barboza) had recently received the vaccine. He explained that there will be a clinic for vaccinations on January 26, 2010 at the Reynolds School between the hours of 4 - 8 o'clock PM.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Barboza - Voted
unanimously to approve the Consent
Agenda, withholding agenda item
AA16 for further discussion.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - December 9, 2009

Barboza/Herreshoff - Voted
unanimously to approve these
minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. Historic District Commission - November 5, 2009
2. Harbor Commission - December 7, 2009
3. Bristol County Water Authority/Board of Directors - November 10, 2009
4. Bristol County Water Authority/Audit Finance Committee - December 2, 2009
5. Bristol County Water Authority/Engineering Committee - December 2, 2009
6. Bristol County Water Authority/Public Relations/Personnel Committee - December 2, 2009
7. Bristol Housing Authority - November 12, 2009
8. Bristol Warren Regional School Committee - September 28, 2009
9. Bristol Warren Regional School Committee - Workshop/Meeting, October 13, 2009
10. Bristol Warren Regional School Committee - October 26, 2009

11. Bristol Warren Regional School Committee - Workshop, November 16, 2009
12. Bristol Warren Regional School Committee - November 23, 2009
13. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - November 19, 2009
14. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - November 24, 2009
15. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - December 3, 2009
16. Charter Review Commission - November 3, 2009

Barboza/Parella - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Councilman Herreshoff stated that he attended a recent meeting of the Charter Review Commission and found the Commission to have a "good process" and that the meeting appeared to be productive. Councilman Herreshoff also noted that the Charter Review Commission will be continuing its work and that input from the public was welcome.

Councilman Herreshoff also noted that the minutes of the meeting appear to be incorrect in that he, Councilman Herreshoff, does not favor four (4) year terms for Town Council or Town Administrator.

Councilman Herreshoff also stated that he was of the opinion that the veto-powers as specified in the Town Charter are in need of "fine-tuning."

Councilman Barboza suggested that Councilman Herreshoff might provide his comments regarding the minutes of the Charter Review Commission in writing and that that body will likely address his concerns if he provides same. Councilman Herreshoff agreed to provide his concerns and proposed minutes corrections/amendments to the Charter Review Commission.

After the vote taken, Council Chairman Marshall reported that he has also attended the meetings of the Charter Review Commission and that the body is "doing a fine job." Council Chairman Marshall agreed with Councilman Herreshoff that public input at the Charter Review Commission is welcome and encouraged citizens to participate.

Council Chairman Marshall also stated that he was of the opinion that the Charter has served well to date and that this current Charter review process provides an opportunity to update the document if needed.

17. Zoning Board of Review - June 1, 2009
18. Zoning Board of Review - September 14, 2009
19. Zoning Board of Review - October 5, 2009
20. Zoning Board of Review - November 2, 2009

B. OLD BUSINESS

1. Draft Resolution re opposition to the LNG proposal in Mount Hope Bay
 - a. Kathleen M. Silvia, Newport City Clerk - request for consideration of resolution in opposition to the proposed construction of a LNG terminal in Mount Hope Bay
 - b. Councilman Herreshoff re LNG proposal by Hess

LATE ITEM

Barboza/Herreshoff - Voted unanimously to adopt the resolution as prepared and presented providing a copy of same to each city and town in Rhode Island and also to the White House, Senators Reed and Whitehouse, Congressman Kennedy, the General Office holders and also to the leadership of the Rhode Island General Assembly; soliciting their support.

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of January 20, 2010 so as to consider

appropriating funds for the
campaign in opposition to an LNG
facility in Mt. Hope Bay.

Prior to the votes taken, Council Chairman Marshall read the subject resolution aloud.

Councilman Herreshoff suggested that citizens might wish to "get involved" in the campaign to prevent the establishment of an LNG terminal in Mount Hope Bay since the final decisions will be made during this year.

Council Chairman Marshall noted that Rep. Raymond Gallison and others have indicated that once the terminal is finally approved "there will be no turning back" and observed "this is no joke."

Council Chairman Marshall explained that federal government officials have "haphazardly" agreed to consider this terminal thus far and that since the proposal was first considered, other sources appear to have filled the need as previously described.

Councilwoman Parella suggested that members of the public should contact their public officials concerning this matter; particularly the legislative leadership, federal officers, congressmen and senators. She also suggested that the Town should send a copy of the Town's resolution to these persons.

Councilwoman Parella also noted that the Town will need intervention at the highest level and that Congressman Kennedy and Senators Reed and Whitehouse should be contacted.

Councilman Barboza noted that Save the Bay has a petition on line and those wishing to sign the petition may do so on the Save the Bay website.

Councilman Herreshoff noted that Rep. Gallison has been "leading the charge" and that most State officials have taken a position in opposition to the Hess plans. Councilman Herreshoff also explained that any position on this proposal must be supported by data.

Councilman Herreshoff noted that seventy (70) vessels will visit the offloading platform per year; this translating into 140 trips. He also noted that the clearance under the Mount Hope Bridge may not exceed three (3) feet at high tide.

Councilman Herreshoff recalled an incident when a much smaller vessel lost in a fog rammed the north tower of the bridge; nearly bringing it down and causing a huge disruption in bridge service while the tower was repaired. He speculated that a large LNG tanker, ramming the bridge, would most definitely bring the bridge down.

Councilman Herreshoff also expressed concern that the large amounts of liquefied natural gas represents a "time bomb" that would be likely the target of terrorists. He noted that the idea of a terrorist threat negates the Hess company claim of a good safety record.

Councilman Herreshoff informed the Council of a gas explosion accident near Halifax, Nova Scotia which took more than 1,000 lives. He also reiterated previously stated concerns that the proposed "safety zone" will cause a lengthy backup on local roads due to the proposed closure of the Mount Hope Bridge during LNG deliveries and a disruption of activities within Mount Hope and Narragansett Bays; these being rallies, yacht races, etc.; all strong components of the local tourist and leisure economy.

Councilman Herreshoff speculated that the America's Cup Races will never return to our area if the LNG tankers are regular visitors. He further testified as a sailing expert that Narragansett Bay is the best in the nation for boating pursuits.

Council Chairman Marshall reported that Save the Bay has been actively opposing the LNG terminal. He also noted that the Town was the first to pledge funds to pay attorneys, etc., to bring its case in opposition to the proper authorities and that he would find it appropriate to support Save the Bay also.

Council Chairman Marshall asked Town Solicitor Ursillo if it would be appropriate for the Town to make a contribution to Save the Bay to support its efforts in opposition to LNG with Town Solicitor Ursillo responding that the matter must first appear on a public agenda per the open meetings statute.

Councilman Herreshoff commented that he has spoken to many Bristolians since the first day of the New Year and a majority of these have indicated that the Town's opposition to LNG in Mount Hope Bay is the most important issue facing the Town. Councilman Herreshoff described the Town's opposition to the LNG proposal as a "mandate."

Councilman Barboza informed the Council that Mayor Thomas M. Menino of Boston opposes ships from Yemen continuing to arrive in his city; citing a terrorist threat. Councilman Barboza stated that the Town's concern for a terrorist attack on LNG tankers in Narragansett Bay is not unlike the concern as expressed by Mayor Menino.

Councilwoman Parella stated that it is important to provide funding to aid those opposing the LNG terminal. She suggested that the Town may wish to contact Save the Bay to determine an appropriate amount that the Town might contribute. Councilwoman Parella also agreed with the earlier comments of Councilman Herreshoff since there will likely be no good time during the course of any one day for the LNG ships to enter the Town's waters due to the myriad bay activities and also the quality of life brought to the region due to its relationship with the bay.

Councilman Barboza noted that the Hess organization possesses "sheer arrogance" since it was chased out of Fall River and decided to build its project in Bristol instead. Councilman Barboza restated his earlier comments that the project is a "stupid idea."

Councilman Herreshoff speculated that the cost to maintain the safety zone for visiting tankers will cost the Town approximately \$700,000 per year.

Council Chairman Marshall noted that the Obama Administration is due to appoint a member of the FERC governing board and that the seat is currently open.

Councilman Herreshoff suggested that Representative Gallison would be a good choice to fill the seat on the FERC board.

Joseph Arruda from Save Bristol Harbor informed the Council that his organization is an active participant in the LNG opposition. He noted that the group has prepared a Power-Point presentation with drawn to scale illustrations of the large tank ships superimposed in scenes containing local landmarks. Mr. Arruda agreed to bring the presentation to the Council for its edification.

Councilwoman Parella also noted that the presentation should be made available through the internet. With Town Treasurer Day responding that the articles and presentation may be linked to the Town's website.

Councilman Herreshoff suggested that the representatives of Save the Bay and Save Bristol Harbor should keep the Council informed as to this matter.

Mr. Arruda agreed with the earlier comments that the final decisions will be made during this year and that there should not be any lull in educating the public concerning LNG.

After the votes taken, Council Chairman Marshall observed that the various parties should reach-out to the Rhode Island Foundation for funding assistance.

Councilman Barboza suggested that the various LNG opponents should contact "60 Minutes" with Susan Maloney of Van Wickle Lane informing the Council that she tried to contact NBC News correspondent, Mike Taibbi, who lives in Westport, Massachusetts and received no response.

2. Jean M. Fecteau, Gloucester Town Clerk - request for support of resolution in opposition to House Bill 5931 and Senate Bill 606 which would reduce the RI Housing foreclosure period from five (5) years to one (1) or two (2) years depending on property owner circumstances, **continued from December 9, 2009**

- a. Kathleen Viera Beaudoin, Portsmouth Town Clerk - request for support of resolution in opposition to House Bill 5931 and Senate Bill 606

Barboza/Herreshoff - Voted
unanimously to oppose House Bill
5931 and Senate Bill 606.

Prior to the vote taken, Town Solicitor Ursillo recommended that the Council take a similar position to that of the Gloucester and Portsmouth Town Councils.

3. Town Administrator Mederos re overnight parking in vicinity of Town Common, **continued from December 9, 2009**

Barboza/Herreshoff - Voted
unanimously to continue this matter
until the meeting of January 20,
2010

Prior to the vote taken, Council members agreed that discussion on this matter should take place when Town Administrator Mederos may be present.

4. Dominic J. Calarco, 413 Metacom Avenue - request opportunity to address Council re drainage issues, **continued from December 9, 2009**

LATE ITEM

- a. Director of Public Works Serbst - additional information

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file.

5. Freeman Dias, 41 Church Street - request for a handicap parking space in vicinity of 41 Church Street, **2nd reading for adoption**

- a. Recommendation - Town Administrator and Police Chief

Barboza/Parella - Voted unanimously to consider this action to be the Second Reading of the request for a handicap parking space. Inform the Public Works Department.

6. Town Administrator Mederos re Tree Infestation

Herreshoff/Parella - Voted unanimously to approve the plan as presented and authorize the Town Administrator to implement same and inform the Council of the dates of the public hearings in advance of same.

Prior to the vote taken, Recreation Director Burke reported that the plan to spray infested areas includes an informational component; providing for public hearings and meetings with the neighbors prior to spraying.

Recreation Director Burke also stated that spraying will take place only on non-windy days and that a representative of the Department of Environmental Management will be inspecting the process and that spraying will take place only in isolated areas.

Councilman Herreshoff agreed that it would be unwise to spray when it is windy.

Councilwoman Parella commented that Bristol appears to be ahead of other communities and that a good amount of information has been in the media concerning the Winter Moth. She further stated that she was pleased to know that the Town has a plan to abate the problem.

7. Councilman Herreshoff re Revaluation of 2010

Herreshoff/Barboza - Voted unanimously to set a Special Meeting for the purposes of discussion regarding the upcoming revaluation and also to interview candidates for various boards and commission for Wednesday evening, January 27, 2010 beginning at 7:00 o'clock PM.

Prior to the vote taken, Councilman Herreshoff stated that the last Town revaluation had its "good and bad points" and explained that the bad points were a "wake-up call" for the Council so that it may take steps to avoid future difficulties.

Councilman Herreshoff explained that the revaluation was the collective responsibility of the Town Administrator, Tax Assessor Spagnolo, Town Treasurer, and Council and that he wishes to have a "detailed" protocol on the steps and schedule of same.

Councilman Herreshoff also added that he was of the opinion that the Council should also actively participate in the selection of the firm that will be chosen to prepare the revaluation on behalf of the Town.

Council Chairman Marshall noted that the Council held several workshops on this matter in the past and perhaps should have another. Council Chairman Marshall also noted that the Council was most-interested in the so-called "Ohio Plan" that essentially limits the amount of a property valuation, up or down, during any given revaluation period thus eliminating drastic changes from one tax bill to another.

Council Chairman Marshall also noted that the implementation of a type of "Ohio Plan" would require legislative action

with Town Solicitor Ursillo agreeing to draft language for submission to the General Assembly.

Tax Assessor Spagnolo noted that the Town is currently seeking proposals from qualified revaluation companies with Councilman Herreshoff asking the date for the Town to choose its supplier.

Tax Assessor Spagnolo responded that the Town is somewhat late in seeking the proposals since there were some anticipated changes to the State Law which never materialized. She added that the contract should be awarded to the chosen supplier during the month of March.

Tax Assessor Spagnolo added that there will be many cities and towns seeking revaluation services during this year and that there may not be many companies providing proposals to the Town.

Councilman Herreshoff asked to know how many companies appear to be qualified to conduct the revaluation with Tax Assessor Spagnolo responding that there appear to be approximately twelve (12) qualified companies. Councilman Herreshoff suggested that the companies should be contacted personally to encourage all to submit proposals.

Councilwoman Parella commented that the inflexible revaluation schedule is yet another unfunded mandate within State law.

Tax Assessor Spagnolo noted that the real estate market may yield a marked decrease in the tax base although certain properties; waterfront, water view, etc., are "holding their own" in value.

Councilman Herreshoff repeated that the Ohio Plan essentially limits any "sudden jump" in the amount of valuation/tax increase that can be legally imposed upon a property owner at one time.

Tax Assessor Spagnolo noted that current Rhode Island law does not allow for the type of program as provided in the Ohio Plan.

Councilman Herreshoff asked to know when the Town is expected to award a contract to the revaluation company with Tax Assessor Spagnolo responding that the timing of the project would require that the firm be selected and the proposal be approved approximately one week after the proposals are opened.

The Council agreed that there should be a workshop held at a Special Meeting to discuss the proposals and that an appropriate date for this meeting would be January 27, 2010. The Clerk suggested that the Council may wish to conduct interviews for board and commission position candidates also on that date with Council members concurring.

Councilwoman Parella noted that the Town should have a plan for public relations concerning the difference between property valuation and the tax rate; explaining that the tax rate is typically adjusted whenever the new values are put in place. Councilwoman Parella also noted that many taxpayers are confused by this.

8. Melinda L. Thies, Superintendent, Bristol Warren Regional School District - request for resolution in support of proposed amendments to enabling legislation

Barboza/Herreshoff - Voted
unanimously to continue this matter
until which time a further report
is available.

Prior to the vote taken, Superintendent Thies appeared before the Council and explained that this agenda item was placed before its honorable body in order to establish an "open dialogue" concerning the proposed amendments.

Superintendent Thies thanked the Council for the opportunity to be present and noted that the Council will likely need additional background information. She noted that the enrollment within the schools appears to be growing due to the "increased reputation" of the School District.

Superintendent Thies read the School Committee resolution aloud.

Councilman Barboza stated that he was pleased to have an open dialogue with school officials regarding this matter and explained his awareness that the main tenets of the proposal is to allow the transportation of elementary school-aged children across the Warren town border. Councilman Barboza also stated that he was of the opinion that the School Superintendent/School Committee's request of the Council to pass the resolution was premature in light of the ongoing work of the Facilities Task Force.

Councilman Barboza also stated that he was of the opinion that the Council should discuss this matter with Warren town

officials prior to making any type of commitment regarding same. He noted that he has no intention of "doing this in a vacuum" and that the Council should be presented a "clear-cut" case.

Superintendent Thies stated that this evening's presentation is the beginning of a dialogue with the Council regarding this proposal. She noted that the enrollment projections were by an outside agency and that there is growth expected for both towns.

Superintendent Thies noted that the option proposed via the enclosed resolution represented one option and that this option would provide the School District the greatest amount of flexibility for moving students to control class size, etc.

Councilman Herreshoff asked to know how many students currently occupy grades K-5 with Superintendent Thies responding that there are 381 at Colt-Andrews, 273 at Guiteras, 295 at Rockwell and 572 at Hugh Cole.

Councilman Barboza stated that it was useful to have student population numbers since these are necessary to determine each town's proportion of required funding.

Councilman Barboza also expressed his willingness to consider the topic of the resolution, etc., on the agenda of the Joint Finance Committee. Councilman Barboza also asked to know if the School District has a "Plan B" should the voters reject the proposal with Superintendent Thies responding that this plan provides the greatest flexibility with diminished costs and that a different model may carry a larger fiscal impact.

Councilwoman Parella agreed that the School District has made strides to improve this resulting in a higher student population but also speculated that the increase in enrollment was attributable to the poor economy. She further speculated that parents may opt to send their students to private schools when the economy improves thus reducing the student population within District schools.

Superintendent Thies explained her opinion that the increasing enrollment trend will increase and further explained that the Hugh Cole School is a "site school" for the Educational Collaborative. She further explained that educators from other towns visit the Hugh Cole School and that the reputation of the School District is growing, viewed positively, and seen as a leader.

Councilwoman Parella stated that she would support the proposal only if it were to be rational and logical. She noted that this logic might consider those students living nearby the Warren border attending Warren schools.

Council Chairman Marshall agreed that the matter should be further discussed and that a Joint Finance Committee workshop would be useful.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2009-16, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-91, Condition of license operations, July 3--5, **2nd reading for adoption**

Barboza/Parella - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-16. Advertise in local newspaper.

2. Ordinance #2010-01, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcohol Beverage Establishments, Division 2, License, Section 17-82, Number of licenses, **1st reading**

Barboza/Herreshoff - Voted unanimously to place this matter on the table and instruct the Clerk to inform the petitioner of the Council's consideration of a Class BV Limited versus a Class BV Alcoholic Beverage License.

Prior to the vote taken, Councilwoman Parella expressed concern that the Council was reneging on its tentative agreement to grant a Class BV Alcoholic Beverage License to the Hourglass Brasserie.

Councilman Barboza stated that the Council has in recent times granted Class BV Limited licenses to new

establishments and allowed those establishments to "upgrade" to a full license after a certain period of time.

Councilman Barboza added that the Council perhaps erred in setting the full license in motion.

The Clerk noted that the proprietor of the Hourglass Brasserie has incurred the expense of a public hearing to consider the granting of a Class BV Alcoholic Beverage License with Council members generally in agreement that they will consider a Class BV Limited License for this establishment.

Town Solicitor Ursillo explained that the notice for the Public Hearing would suffice for either license since the Class BV Limited license would represent essentially a more restrictive license.

The Clerk agreed to contact the applicant and determine if he wished to continue with the Public Hearing. The Council, by consensus, agreed that the Town would not expect reimbursement for the expenses of the Public Hearing notice were the applicant to withdraw his petition.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for December 2009

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments
 - a. Fire Police - Special Constables
 1. Fire Chief Martin re list of Fire Police - Special Constables for 2010

Councilman Barboza nominated the slate of Special Constables/Fire Police as presented and recommended for appointment.

There were no counter-nominations.

Barboza/Herreshoff - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of the
slate of nominees as presented to
serve for the ensuing term.

- b. Special Constables, Private
Investigators, Matrons and Retiree
Officers

LATE ITEM

- 1. Police Chief Canario re list of
Special Constables, Private
Investigators, Matrons and Retiree
Officers for 2010

Councilman Barboza nominated the slate of Special
Constables, Private Investigators, Matrons and Retiree
Officers as presented and recommended for appointment.

There were no counter-nominations.

Barboza/Herreshoff - Voted unanimously
to close nominations and instruct the
Clerk to cast one ballot each in favor
of the slate of nominees as presented to
serve for the ensuing term.

- c. Harbor Master

- 1. Joseph Cabral, 55 Ferry Road -
interest/reappointment

Councilman Barboza nominated Mr. Cabral for reappointment.

There were no counter-nominations.

Barboza/Herreshoff - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Mr. Cabral
to serve for the ensuing term.

- d. Assistant Harbor Masters

- 1. Matthew J. Calouro, 118 Fales Road
- interest/reappointment
- 2. David Sartrys, 36 DeWolf Avenue -
interest/reappointment

3. Nathan M. Gallison, 50 King Philip Avenue - interest/reappointment
4. Michael A. Ruggiero, 80 Mount Hope Avenue - interest/appointment

dd. Recommendation - Harbor Master

Councilman Barboza nominated Messrs. Calouro and Sartrys for reappointment.

There were no counter-nominations.

Barboza/Herreshoff - Voted unanimously to close nominations and instruct the Clerk to cast one ballot each in favor of Messrs. Calouro and Sartrys to serve for the ensuing term as recommended by the Harbor Master.

Barboza/Herreshoff - Voted unanimously to set an interview for Mr. Ruggiero at the convenience of the parties.

Prior to the vote taken, the Clerk noted that Harbor Master Cabral recommends that Mr. Gallison should be considered for the position of Auxiliary Harbor Master.

e. Auxiliary Harbor Masters

1. Arthur M. Franco, 46 Kingswood Road - interest/reappointment
2. Alan Leach, 25 Pawtucket Avenue - interest/reappointment
3. George Gatos, 55 State Street - interest/reappointment
4. Scott Marino, 131 Mulberry Road - interest/reappointment

ee. Recommendation - Harbor Master

Councilman Herreshoff nominated Messrs. Franco, Leach, Gatos, and Marino for reappointment and Mr. Nathan Gallison for appointment as recommended by the Harbor Master.

There were no counter nominations.

Herreshoff/Parella - Voted
unanimously to close nominations
and instruct the Clerk to cast one
ballot in favor of Messrs. Franco,
Leach, Gatos, and Marino and
Gallison to serve for the ensuing
term.

- f. Bristol Housing Authority (term to
expire 1/2015)
 - 1. Gerald P. Romano, 24 Charlotte
Drive - interest/reappointment
 - a. Elizabeth Lopes, President,
Benjamin Church Manor Tenants'
Association - Recommendation

Councilwoman Parella nominated Mr. Romano for reappointment.

There were no counter-nominations.

Parella/Barboza - Voted unanimously
to close nominations and instruct
the Clerk to cast one ballot in
favor of Mr. Romano, term to expire
in January 2015.

- g. Board of Tenants' Affairs (2) (terms to
expire 1/2012)
 - 1. Marie P. Tucker, 1014 Hope Street,
Apt. I5 - interest/reappointment
 - 2. Carole A. Hughes, 1014 Hope Street,
Apt. T1 - interest/reappointment

Councilwoman Parella nominated Ms. Tucker and Ms. Hughes for
reappointment.

There were no counter-nominations.

Parella/Barboza - Voted unanimously
to close nominations and instruct
the Clerk to cast one ballot each
in favor of Ms. Tucker and Ms.
Hughes, terms to expire in January
2012.

- h. North and East Burial Grounds Commission
(2) (terms to expire 1/2015)

- 1. Jeffrey W. Steadman, 10 Wapping Drive - interest/reappointment
- 2. Charles Cavalconte, 88 Church Street - interest/reappointment

Councilman Barboza nominated Messrs. Steadman and Cavalconte for reappointment.

There were no counter-nominations.

Barboza/Parella - Voted unanimously to close nominations and instruct the Clerk to cast one ballot each in favor of Mr. Steadman and Mr. Cavalconte, terms to expire in January 2015.

- i. Tree Warden

- 1. Samuel C. Kinder, 315 Hope Street - interest/reappointment

Councilman Herreshoff nominated Mr. Kinder for reappointment.

There were no counter-nominations.

Herreshoff/Barboza - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in favor of Mr. Kinder to serve for the ensuing term.

- j. Waypoyset Trust (term to expire 1/2012)

LATE ITEM

- 1. Prof. William B. Sweeney, 42 Clipper Way - interest/reappointment

Councilman Barboza nominated Prof. Sweeney for reappointment.

There were no counter-nominations.

Barboza/Parella - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in

favor of Prof. Sweeney, term to
expire in January 2012.

k. CRMC Alternate Subcommittee

1. Thomas G. Breslin, 7 Dana Road -
interest/reappointment

Councilman Herreshoff nominated Dr. Breslin for
reappointment.

There were no counter-nominations.

Herreshoff/Parella - Voted
unanimously to close nominations
and instruct the Clerk to cast one
ballot in favor of Dr. Breslin to
serve for the ensuing term.

l. Fourth of July Committee

1. Patricia Squatrito, Corresponding
Secretary, Fourth of July Committee
re additional memberships for
2009-2010

Councilman Barboza nominated the slate of members as
proposed by the Committee.

There were no counter-nominations.

Barboza/Herreshoff - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of the
slate of nominees as presented to
serve for the ensuing term.

m. Conservation Commission (vacancy, term
to expire 12/2012)

1. Kathleen A. Keating, 35 Burton
Street - interest/appointment

Barboza/Herreshoff - Voted
unanimously to instruct the Clerk
to set an interview at a convenient
time.

G. LICENSING BOARD - NEW PETITIONS

1. Chris Fonseca, d/b/a Chris Fonseca Construction Corporation, P.O. Box 1261 - request for a Drainlayer's License

Herreshoff/Parella - Voted unanimously to continue this matter until which time the necessary paperwork is obtained.

Prior to the vote taken, the Clerk noted that Public Works Director Serbst is awaiting some documents prior to his preparation of a recommendation. The Clerk also explained that Town Ordinance requires a positive recommendation of the Director of Public Works prior to the granting of a Drainlayer's License.

2. Ziad Ammouri, d/b/a Ammouri's Gas & Food Mart, 1064 Hope Street (Bristol Express) - request for a Victualling License (new ownership)
 - a. Recommendation - Water Pollution Control Facility
 - b. Recommendation - Town Administrator and Police Chief

Barboza/Parella - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

3. Ziad Ammouri, d/b/a Ammouri's Gas & Food Mart, 1064 Hope Street (Bristol Express) - request for a Holiday Sales License (new ownership)
 - a. Recommendation - Town Administrator and Police Chief

Barboza/Parella - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

4. John DaSilva, d/b/a Accommodating Catering Corporation, 400 Metacom Avenue, 6th Floor - request for a Victualling License (new ownership)
 - a. Recommendation - Water Pollution Control Facility

LATE ITEM

- b. Recommendation - Police Chief

Barboza/Parella - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. Sewer Permits - WPCF
2. Road Cut Permits - DPW

J. PETITIONS - OTHER

1. Hilda Teresa Camacho, 2 Arthur Avenue, d/b/a Cherish the Moments, LLC - request to place promotional signs throughout Bristol for two (2) weeks prior to Bridal Event being held at Jacky's Galaxie Restaurant, 383 Metacom Avenue on February 13, 2010
 - a. Recommendation - Principal Planner/Zoning Officer

Barboza/Herreshoff - Voted unanimously to deny the request to place promotional signs on street corners and to allow one only temporary A-Frame sign measuring 24 X 36 inches in front of the restaurant for two weeks prior to the bridal event.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Dom Franco, Chairman, Harbor Commission re proposed letter to Brown University requesting public access be granted at the Haffenreffer Museum property to Mount Hope Bay

Barboza/Herreshoff - Voted unanimously to instruct the Clerk, along with the Town Administrator, to prepare a letter suggesting a Town/Brown University dialogue concerning Mount Hope Bay shore access.

Prior to the vote taken, Council members agreed that a shore access near the Haffenreffer museum would be desirable; its honorable body agreed that the matter might be better resolved through a cooperative dialogue between Town and University officials. It was suggested that a letter might be written to propose this dialogue.

2. (Donna L. Giordano, MMC, Westerly Town Clerk) re resolution requesting relief from unfunded mandates for the Town of Westerly

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file.

Parella/Barboza - Voted unanimously to instruct the Clerk to send a letter to the local delegation to the General Assembly suggesting that the Towns might be generally relieved from unfunded State mandates.

3. John A. Pagliarini, Jr., Esq. re donation of collectible 'Town Plate'

Herreshoff/Parella - Voted unanimously to accept the donation of the commemorative plate on behalf of the Town and instruct the Clerk to find a suitable place for its display and also to send a letter of thanks to Mr. Pagliarini.

4. RI Coastal Resources Management Council re Public Hearing scheduled for consideration of

proposed changes to the RI Coastal Resources Management Program on January 26, 2010

Barboza/Parella - Voted unanimously to receive and place this matter on file.

5. Town Administrator Mederos re DECA School Store Loan

Herreshoff/Parella - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, the Clerk informed the Council that the DECA group has withdrawn this request.

6. Councilman Herreshoff re Fiscal 2011 Budget

LATE ITEM

- a. Council Clerk Cirillo re Draft Budget Workshop Schedule 2010-2011

Barboza/Parella - Voted unanimously to continue this matter until the meeting of January 20, 2010 and to instruct the Clerk to amend the draft budget workshop schedule to move those departments/budgets scheduled for Monday, March 22, 2010 to Thursday, March 18, 2010.

Prior to the vote taken, the Clerk reported that the budget schedule conforms to the provision of State Law and Town Charter. Council Chairman Marshall asked that the proposed workshop for March 22 might be moved since he has a conflict on that date.

Councilman Herreshoff noted that the State has reneged on its agreement to provide certain revenue sharing funds; this making the Town's budgeting process more difficult than usual. He suggested that the Council representatives might have some preliminary meeting with Town Administrator Mederos in order to address this issue.

Council Chairman Marshall agreed that the State's plans are yet unclear and that funding from this source is doubtful. He agreed to speak to Town Administrator Mederos about a workshop to discuss this matter.

7. Town Administrator Mederos re Challenge Grant Award

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file and instruct the Clerk to send a letter to Bristol Marine, thanking that organization for its participation in the project.

Prior to the vote taken, Director of Community Development Williamson explained the receipt of this grant that will be utilized to study the route for transportation of marine products from the Franklin Street Corridor to the Harbor.

Director of Community Development Williamson further noted that this goal was outlined by the Redevelopment Agency and also the Town's Comprehensive Plan.

Council Chairman Marshall asked to know if the route might also be examined as an emergency evacuation route to move boats, etc., from the harbor to high ground with Director of Community Development Williamson reporting that the grant is specific to consider the transportation of marine products. She agreed to investigate if the grant proposal could be amended to include emergency evacuations.

8. Town Administrator Mederos - request to schedule workshops re Tanyard Brook project - status report, golf course re-use, and plan for Town buildings

Barboza/Parella - Voted unanimously to refer this matter to the Clerk so that he may arrange special meetings/workshops at a time convenient to the parties.

Prior to the vote taken, Councilwoman Parella asked that these workshops might be held on Tuesday or Thursday evenings.

Council Chairman Marshall noted that the drainage projects for St. Mary's Cemetery/Chestnut Street and the intersection of State and Thames Streets were successfully completed. Council Chairman Marshall commended Water Pollution Control Superintendent Calderiso and Public Works Director Serbst for their assistance with these projects.

9. Town Administrator Mederos re capital budget request submitted by Fire Chief Martin

Herreshoff/Parella - Voted unanimously to receive and place this matter on file in concurrence with the action of the Town Administrator.

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Day) re Revenue and Expenditure Statement, December 31, 2009

P. PROCLAMATIONS & CITATIONS

1. Commendation - Karl Antonevich, service as President of the Bristol Veterans Council

Herreshoff/Barboza - Voted unanimously to adopt this commendation as prepared and presented.

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Warrant - Lindsay Green, Conservation Commission
2. Warrant - Leonard A. Calandra, Board of Tax Assessment Review
3. Warrant - Linda Lou DuBois, Juvenile Hearing Board
4. Warrant - Clifford C. Woods, Jr., Conservation Commission
5. Warrant - Amy M. Marino, Personnel Board

6. Warrant - Robert Aldrich, 2nd Alternate Member to Redevelopment Agency
7. Warrant - Denise J. Arruda, 1st Alternate Member to Redevelopment Agency
8. Warrant - Tim A. Kemmy, Juvenile Hearing Board
9. Supplemental Drainlayer's License Renewal Petitions (granted December 9, 2009)
10. Supplemental Junk and Second Hand Dealer's License Renewal Petition (granted December 9, 2009)
11. Raymond DeLeo, 328 High Street to Town Administrator Mederos re Parking Study
12. Warrant - Susan C. Church, Alternate Member to North and East Burial Grounds Commission
13. Council Clerk/Clerk Pro-tempore of the Planning Board Cirillo to Director of Community Development Williamson re adoption of amended Comprehensive Plan
14. RI Coastal Resources Management Council - consideration of application by Michael and Alicia Lenarcic to construct and maintain a residential boating facility at 155 Ferry Road
15. Council Clerk Cirillo to Gov. Donald L. Carcieri re potential closing and relocation of the Department of Children, Youth and Families offices in Bristol
16. Town Administrator Mederos to Council Clerk Cirillo re temporary absence
17. Police Chief - recommendation re request for 15-minute parking spaces by Zaheer Abbas, d/b/a Midland Farms, 429 Wood Street (denied December 9, 2009)
18. Town Administrator and Police Chief - recommendation re request for a Victualling License by Zaheer Abbas, d/b/a Midland Farms, 429 Wood Street (granted December 9, 2009)

19. Town Administrator and Police Chief - recommendation re request for a Victualling License by Jill Marshall, d/b/a Nutrition 4 Life, 703 Metacom Avenue (granted December 9, 2009)
20. Town Administrator and Police Chief - recommendation re a One-Day Dancing and Entertainment License by Stephen Squatrito, d/b/a Backroad Grille, 549 Metacom Avenue (conditionally granted December 9, 2009)
21. Police Chief - recommendation re request for a Holiday Sales License by Zaheer Abbas, d/b/a Midland Farms, 429 Wood Street (conditionally granted December 9, 2009)
22. Town Administrator and Police Chief - recommendation re request for a Public Laundry License by Joseph P. Carissimi, Jr., d/b/a East Bay Laundromat, 26 Gooding Avenue (conditionally granted December 9, 2009)
23. RI Coastal Resources Management Council - January 2010 Calendar
24. Coastal Resources Management Council - 2010 Meeting Schedule

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Town Council - Meeting Schedule for 2010
2. Christmas Festival Committee - Meeting Schedule for 2010
3. Substance Abuse Prevention Task Force - Meeting Schedule for 2010
4. Bristol Housing Authority - Meeting Schedule for 2010
5. Harbor Commission - Meeting Schedule for 2010

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 6, 2010

6. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - December 10, 2009
 7. Zoning Board of Review - January 4, 2010
 8. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - December 14, 2009
 9. Bristol Warren Regional School Committee - Special Meeting, December 14, 2009
 10. Bristol Warren Regional School District - Schedule of Meetings, Week of December 14, 2009
 11. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - December 14, 2009
 12. Bristol County Water Authority - January 2010 Meetings
 13. Bristol Warren Regional School District - Schedule of Meetings, Week of December 21, 2009
 14. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - December 30, 2009
 15. Conservation Commission - January 4, 2010
- S. TOWN SOLICITOR
- Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS
1. MARSHALL
 - a. Thank You and Congratulations to Mike Davis - Council Chairman Marshall congratulated Mr. Davis on his 40 years in taping matters of public interest and also thanked Mr. Davis and Steve Roth for taping this evening's meeting.
 - b. Keith Stokes - Council Chairman Marshall noted the recent appointment of Keith Stokes as interim director of the State Economic Development

Agency and noted Mr. Stokes' many accomplishments and qualifications.

Councilwoman Parella noted that she heard an interview on talk radio featuring Mr. Stokes and found the gentleman to be "impressive."

Parella/Barboza - Voted unanimously to instruct the Clerk to send a congratulatory message to Mr. Stokes on behalf of the Council.

2. CORDEIRO

3. PARELLA

a. Recycling - Councilwoman Parella suggested that the Council may wish to revisit the subject of increasing local recycling at a special meeting/workshop. Councilwoman Parella noted that the "mandatory" recycling program in Providence was not handled particularly well and the key to a good program may rest in good public relations.

Councilman Barboza expressed concern that a more extensive recycling program may require additional capital and personnel expenses according to Public Works Director Serbst with Councilwoman Parella responding that the cost of a more extensive recycling program may be offset by the inordinate tipping fees paid by the town.

Council Chairman Marshall agreed that there may be additional revenues available through the sale of recycled materials and further stated that the current transfer station is well organized. He also agreed that the Council should discuss this matter in more detail at a special meeting.

Councilwoman Parella agreed that the Council should evaluate the cost/benefits of an expanded program.

4. BARBOZA

a. Noise Committee - Councilman Barboza reported that the Noise Study Committee held its second meeting and that the meeting was making progress. He also reported that the next meeting of this Committee will be held on January 26, 2010.

5. HERRESHOFF

a. Noise Committee - Councilman Herreshoff noted his attendance at the last Noise Study Committee meeting and complimented the group and Councilman Barboza for having a "good process." Councilman Herreshoff commented that the Committee's work is difficult.

b. Christmas Lights - Councilman Herreshoff commented that this year's Christmas lights were "particularly good" and he was in agreement that it was good policy to group the lighting display together rather than spread it too thinly around the Town. Councilman Herreshoff also observed that the main tree on the lawn of the Burnside Memorial Building was particularly good looking.

c. Snow Plowing - Councilman Herreshoff commented that the Town's snow plowing after recent storms had "mixed results" and that he was pleased that many sidewalks were plowed. Councilman Herreshoff noted that there should be more sand applied to the plowed sidewalks also.

d. LNG - Councilman Herreshoff reminded the Council of its earlier discussion concerning LNG tanker traffic in Narragansett/Mount Hope Bays and explained that there should be a concerted effort to prevent this activity during 2010.

e. 1903 Town Council - Councilman Herreshoff provided the Council with a photocopy of pages from a *Bristol Phoenix* publication entitled "Beautiful Bristol." Councilman Herreshoff noted a page containing photographs of the Town Council of 1903 and also noted that the cover of the publication depicted an image of the Bristol built *Reliance*; one of the most noteworthy defenders of America's Cup. Council members recalled that the *Reliance* appears on the Rhode Island Statehood quarter dollar coin.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 6, 2010

There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilman Barboza and voted unanimously, Council Chairman Marshall declared this meeting to be adjourned at 9:53 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk